IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Alan Tien et al.	Examiner: Khanh H. Le
Serial No.:	10/772,530	Group Art Unit: 3622
Filed:	February 4, 2004	Docket No.: 2043.150US1
Title:	METHOD AND SYSTEM FOR INCENTIVIZING THE PROMOTION OF A PAYMENT SERVICE	

DECLARATIONS UNDER 37 CFR § 1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

     Applicants submit the Declaration of Alan Tien and the Declaration of Dave McClure pursuant to 37 CFR § 1.132.

     Applicants request the submitted declarations be considered with the Amendment and Response under 37 CFR § 1.111 that is submitted under separate cover in response to the Office Action mailed on September 24, 2007.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 10/772,530
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Dkt: 2043.150US1

Applicants respectfully submit that the claims are in condition for allowance when considered in view of the submitted declarations and the Amendment and Response mentioned above. Applicants earnestly request notification to that effect. The Examiner is invited to telephone Applicants' attorney at 408-278-4046 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
408-278-

Date ____02/25/2008____ By _____
Mark R. Vatuone
Reg. No. 53,719

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25th, day of February 2008.

Dawn R. Shaw

_____   /Dawn R. Shaw/

Name   Signature

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Declaration of Dave McClure

      I am a co-inventor of the above-captioned patent application 10/772,530, filed February 4, 2004 for "METHOD AND SYSTEM FOR INCENTIVIZING THE PROMOTION OF A PAYMENT SERVICE".

      At the time the application was filed, I was an employee of PayPal, Inc. I worked at PayPal from _9/11/01_ to _10/15/04_. My title at PayPal was _Director of Marketing_

      I have reviewed the two documents (referred to in the Office Action as "Steiner" and "Paypal") which were relied upon by the Office Action of September 24, 2007 in rejecting all of the claims of the application under 35 USC 103.

      The "Steiner" document was cited in the Office Action as relating to a PayPal Merchant Referral Bonus Program. Steiner has a stated date of September 15, 2003.

      The portion of Steiner relied upon in the Office Action in support of the rejection is subject matter that was invented by me and my co-inventor and is disclosed and claimed in the present application.

      The "Paypal" document has no stated date of publication. It was relied upon for a statement relating to a PayPal "Refer-A-Friend" bonus program that had been in effect at the time that the PayPal Merchant Referral Bonus Program was commenced following an August 21, 2003 announcement referred to in "Paypal." The copy of the web page on which "Paypal was published" bears a date of February 3, 2005.

      I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or my patent issued thereon.

Signature _____ Date: _2/20/08_

           Dave McClure

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Declaration of Alan Tien

I am a co-inventor of the above-captioned patent application 10/772,530, filed February 4, 2004 for "METHOD AND SYSTEM FOR INCENTIVIZING THE PROMOTION OF A PAYMENT SERVICE".

At the time the application was filed, I was an employee of PayPal, Inc. I worked at PayPal from _2002_ to _2007_. My title at PayPal was _Director_.

I have reviewed the two documents (referred to in the Office Action as "Steiner" and "Paypal") which were relied upon by the Office Action of September 24, 2007 in rejecting all of the claims of the application under 35 USC 103.
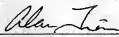
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Signature _____   Date: _2/21/08_
          Alan Tien